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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:
UNITED STATES OF AMERICA,	:
	:
Plaintiff,	:
	:
-v.-	:
	:
BALDUINO LEMOS,	:
	:
Defendant.	:
	:
-----X	

DECLARATION OF  
KIRTI VAIDYA REDDY

08 Civ. 11144 (GEL)

ECF CASE

KIRTI VAIDYA REDDY, pursuant 28 U.S.C. § 1746, declares the following:

1. I am an Assistant United States Attorney in the Office of Lev. L. Dassin, Acting United States Attorney for the Southern District of New York, counsel for plaintiff United States of America (“United States” or “Government”). I am assigned to the prosecution of the above-captioned civil action seeking the denaturalization of defendant Balduino Lemos (“Lemos”), and I submit this declaration in support of the Government’s motion for summary judgement.

2. Annexed hereto as Exhibit 1 is a true copy of Form N-400, Application For

Naturalization, submitted by Lemos to the Immigration and Naturalization Service (“INS”)<sup>1</sup> on or about June 27, 1996, as contained in the administrative file (“A file”) formerly maintained by the INS with respect to Lemos (file no. A29 809 700) .

2. Annexed hereto as Exhibit 2 is a true copy of a printout, as contained in Lemos’s A file, relating to Lemos’s arrest and conviction for attempted criminal possession of a controlled substance, as certified by the Police Department, County of Suffolk, New York on April 29, 1999.

3. Annexed hereto as Exhibit 3 is a true copy of a Certificate of Disposition for People v. Lemos, Docket No. SCI-0199-97 (N.Y. Sup. Ct., Suffolk Cty.), dated April 5, 1999, as contained in Lemos’s A file.

4. Annexed hereto as Exhibit 4 is a true copy of a Notice of Naturalization Oath Ceremony, form N-445A, issued to Lemos by the INS following its approval of his naturalization application, as contained in Lemos’s A file.

5. Annexed hereto as Exhibit 5 is a true copy of a Certificate of Naturalization (Certificate No. 22759869) issued to Lemos by the INS at Garden City, New York, on April 18, 1997, as contained in Lemos’s A file.

6. Annexed hereto as Exhibit 6 is a true copy of a March 27, 2001 letter sent to Lemos by the United States Attorney’s Office.

7. Annexed hereto as Exhibit 7 is a true copy of an April 9, 2001 letter sent from Jorge

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<sup>1</sup>As of March 1, 2003, the INS ceased to exist as an agency within the United States Department of Justice, and its functions respecting the adjudication of applications for naturalized citizenship were transferred to United States Citizenship and Immigration Services (“CIS”) within the United States Department of Homeland Security. See Homeland Security Act of 2002, Pub. L. 107-296, § 471(a), 116 Stat. 2135, 2205 (Nov. 25, 2002); 68 Fed. Reg. 10922-01, 2003 WL 735330 (Mar. 6, 2003); see also Clark v. Martinez, 543 U.S. 374 n.1 (2005); Kai Tung Chan v. Gantner, 464 F.3d 289, 292 (2d Cir. 2006) (per curiam).

Guttlein, Esq. to the United States Attorney's Office.

8. Annexed hereto as Exhibit 8 is a true copy of an Affidavit of Service dated February 6, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, New York,  
on this 7th day of August, 2009.

/S/

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